



General Assembly

Amendment

January Session, 2009

LCO No. 7727

SB0073507727SD0

Offered by:

SEN. DEFRONZO, 6th Dist.

SEN. LEBEAU, 3rd Dist.

REP. GUERRERA, 29th Dist.

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To: Subst. Senate Bill No. 735

File No. 970

Cal. No. 302

"AN ACT IMPROVING BICYCLE AND PEDESTRIAN ACCESS."

1 Strike everything after the enacting clause and insert in lieu thereof
2 the following:

3 "Section 1. (NEW) (*Effective July 1, 2009*) (a) For the purposes of this
4 section:

5 (1) "Department" means the Department of Transportation;

6 (2) "Funds" means any funds from the Special Transportation Fund,
7 bond allocations and any other source that is available for the
8 construction, maintenance and repair of roads in this state;

9 (3) "User" means a motorist, transit user, pedestrian or bicyclist;

10 (4) "Bikeway" means any road, street, path or way which in some
11 manner is specifically designated for bicycle travel, including the

12 provision of a bicycle lane, regardless of whether such facility is
13 designated for the exclusive use of bicycles or is to be shared with
14 other modes of transportation; and

15 (5) "Total project cost" means the cost of the entire corridor plan
16 project.

17 (b) Accommodations for all users shall be a routine part of the
18 planning, design, construction and operating activities of all highways,
19 as defined in section 14-1 of the general statutes, in this state.

20 (c) From funds received by the department or any municipality for
21 the construction, restoration, rehabilitation or relocation of highways,
22 roads or streets, a reasonable amount shall be expended to provide
23 facilities for all users, including, but not limited to, bikeways and
24 sidewalks with appropriate curb cuts and ramps, provided in no event
25 shall less than one per cent of the total amount of funds received in any
26 fiscal year be so expended. The department or municipality shall take
27 future transit expansion plans into account where appropriate.

28 (d) The provision of facilities pursuant to subsection (c) of this
29 section shall not be required if the Commissioner of Transportation or
30 the municipal chief executive demonstrates and documents with
31 respect to a highway, road or street that: (1) Nonmotorized usage is
32 prohibited; (2) there is a demonstrated absence of need; or (3) the
33 accommodation of all users would be an excessively expensive
34 component of the total project cost.

35 Sec. 2. (NEW) (*Effective July 1, 2009*) (a) There is established a
36 Connecticut Bicycle and Pedestrian Advisory Board which shall be
37 within the Department of Transportation for administrative purposes
38 only.

39 (b) The board shall consist of eleven members appointed as follows:
40 The Governor shall appoint five members and the speaker of the
41 House of Representatives, the president pro tempore of the Senate, the
42 majority leader of the House of Representatives, the majority leader of

43 the Senate, the minority leader of the House of Representatives and the
44 minority leader of the Senate shall each appoint one member. The
45 members shall be electors of the state and have a background and
46 interest in issues pertaining to walking and bicycling, one of whom
47 shall be a representative of an organization interested in the promotion
48 of bicycling, one of whom shall be a representative of an organization
49 interested in the promotion of walking, one of whom shall be an owner
50 or manager of a business engaged in the sale or repair of bicycles, one
51 of whom shall be a representative of visually-impaired persons, one of
52 whom shall be a representative of mobility-impaired persons, one of
53 whom shall be a representative of transit workers and one of whom
54 shall be a person sixty years of age or older.

55 (c) All members shall serve for a term of four years, except that of
56 the members first appointed by the Governor, three members shall
57 serve for an initial term of two years and two members shall serve for
58 an initial term of three years. Any vacancy in the membership of the
59 board shall be filled by the appointing authority for the unexpired
60 term. Members shall receive no compensation for their services.

61 (d) The board shall, at its first meeting and annually thereafter,
62 select a chairperson, vice-chairperson and secretary from among its
63 members. The board shall meet at least once during each calendar
64 quarter and at such other times as the chairperson deems necessary or
65 upon the request of a majority of the members.

66 (e) The duties of the board shall include, but not be limited to,
67 examining the need for bicycle and pedestrian transportation,
68 promoting programs and facilities for bicycles and pedestrians in this
69 state, and advising appropriate agencies of the state on policies,
70 programs and facilities for bicycles and pedestrians.

71 (f) The board may apply for and accept grants, gifts and bequests of
72 funds from other states, federal and interstate agencies, independent
73 authorities and private firms, individuals and foundations, for the
74 purpose of carrying out its responsibilities.

75 (g) The Department of Transportation shall assist the board in
76 carrying out its responsibilities by making available department
77 reports and records related to the board's responsibilities and, within
78 available appropriations, printing the board's annual report,
79 distributing copies of such report and mailing notices of the board's
80 meetings.

81 (h) Not later than January 15, 2010, and annually thereafter, the
82 board shall submit a report, in accordance with section 11-4a of the
83 general statutes, to the Governor, the Commissioner of Transportation
84 and the joint standing committee of the General Assembly having
85 cognizance of matters relating to transportation on (1) the progress
86 made by state agencies in improving the environment for bicycling
87 and walking in this state, (2) recommendations for improvements to
88 state policies and procedures related to bicycling and walking, and (3)
89 specific actions taken by the Department of Transportation in the
90 preceding year that affect the bicycle and pedestrian environment.

91 Sec. 3. (NEW) (*Effective July 1, 2009*) On and after July 1, 2009, at
92 least five per cent of any funds received by the state from the federal
93 government under the highway safety improvement program shall be
94 dedicated by the Commissioner of Transportation to projects eligible
95 for such funds, including, but not limited to, safe pedestrian and
96 bicyclist access to transit facilities, safe routes to schools, safe routes for
97 seniors and traffic calming.

98 Sec. 4. (*Effective July 1, 2009*) On or before October 1, 2009, and on or
99 before October 1, 2010, the Commissioner of Transportation shall
100 submit (1) to the joint standing committee of the General Assembly
101 having cognizance of matters relating to transportation, and (2) to the
102 Connecticut Bicycle and Pedestrian Advisory Board established by
103 section 2 of this act, a list of transportation projects funded by the
104 Special Transportation Fund established by section 13b-68 of the
105 general statutes or Title 23 of the United States Code, including, but
106 not limited to, the Interstate Maintenance Program, the National
107 Highway Safety Program, the Congestion Mitigation and Air Quality

108 Program and the Transportation Enhancement Program, which
109 contain bicycle and pedestrian access. Such list shall include the project
110 title, project scope, funding source, description and cost of the bicycle
111 or pedestrian component of the project, and estimated time frame for
112 completion of the project."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	New section
Sec. 2	<i>July 1, 2009</i>	New section
Sec. 3	<i>July 1, 2009</i>	New section
Sec. 4	<i>July 1, 2009</i>	New section